



4. In February 2022 Defendant completed their due diligence and decided they would like to purchase Noxx. An Intent to Purchase was agreed to.

5. In March 2022 Defendant came up with a set of milestones. The milestones were set before Noxx had any look at the current Beckett software architecture. Noxx was not allowed to get any details until the real closing. So, Noxx added a statement that said milestones were subject to agreed and reasonable changes.

6. In August 2022 Beckett finally indicated that the deal would go through. At this point, Noxx had wasted five (5) months in a holding pattern, with no details from Beckett.

7. In September 2022 Beckett finally bought Noxx for \$20,000,000. I was hired as Head of Engineering at Beckett with an increased salary of \$250,000 per year. I entered into an Employment Agreement effective as of March 24, 2022, a copy of which is attached as Exhibit 2 to the motion. I reported to Kunal Chopra, CEO of Beckett. I did a deep dive to lay out a plan for integrating the software systems in a 4-6 month integration plan. At this time Beckett CTO was Chris Batista (contractor from a consulting company PlainSpoken). He and I agreed that to shortcut getting Noxx live, they would use the Noxx system for data, only integrating the “new PlainSpoken Data Platform” from Beckett.

8. In October 2022 the PlainSpoken Data Platform was analyzed for use by me. I learned that no one has integrated its use to date, and that they were running on a \$2,000,000 a year software package that was recommended by a board member’s former company. Beckett’s software package had been designed for a military supplier while Beckett’s business was baseball cards. Normal standard data platforms (Facebook, Twitter, Netflix, Google, AWS) use normal open source data platforms (as Noxx was on). It was apparent that integrating this crazy platform

was going to take some time. Since I and my team would be the only team using the data platform, I had to do lots of debugging and back and forth. (worth noting, after I left, they terminated their new data platform that they spent \$2,000,000 on, an action which I had recommended all along).

9. In October 2022 I and my team had a meeting in Dallas to announce the new structure. I was part of the Senior Leadership Team. Previous to this meeting, I was asked by the CEO (Kunal Chopra) to create on paper the ideal technical organization and function. I did that. It was never commented on except by the head of product, Justin Richmond ("Justin"). He was a contractor with no Digital Product leadership experience. He was friends with the Board member who had recommended the bad data platform. He also worked at the data platform company. Justin sent me an email regarding my organization and structure updates telling me to "STAND DOWN." It was aggressive and odd so I shared it with Defendant's CEO, Kunal Chopra.

10. In November 2022, I was told that the team that supported the data of the expensive "PlainSpoken Data Platform" was being let go on December 11, 2022. My team still had things that needed to be done, so my team prioritized them to make sure things got done.

11. In December 2022 my team was left using the new data system on their own, being told by the person that was put in charge of it (he was a contractor at Beckett) that, "The contractor won't be able to help us for some time." At this point, my team created some of their own data endpoints in that system to accomplish both their Beckett needs and milestone needs.

12. In December 2022 I and my team were working feverishly (60-70 hour weeks) to get their product integrated with the new data system and on the Beckett platform. My team had only

been part of Beckett for 90 days, but had already done an amazing amount of work trying to fix things that were Beckett problems.

13. In January 2023 Dave LeBlanc, Head of HR and Julie R. called and informed me that I was being terminated. This was an extreme shock to me and other executives. I asked for a reason. They said that they would send me an email with reasoning in the termination letter, but no cause was alleged in the letter (**Exhibit 4**).

14. It is obvious from the January 3, 2023, letter to Beckett CEO Kumal Chopra (**Exhibit 3**) that in 2023, Defendant Beckett was continuing its reduction in work force, which began on December 11, 2023, when Defendant terminated their entire workforce which had been responsible for their in-house data management system prior to the Noxx acquisition. Then Defendant decided to continue the reduction in 2022 by scheduling the termination of the entire Noxx data management team, starting with myself since I was the highest paid at \$250,000. **Exhibit 3** states that the work was being shifted to companies which were affiliates of Defendant in India, where a workforce could be employed at much lower costs. Thus, my termination had nothing to do with performance because I was terminated just because I was a member of the Noxx workforce being terminated as part of a reduction in force.

My name is Krishnendu Dasgupta. My date of birth is 5/29/70 and my address is 440 Cedar Lane  
New Hartford, CT 06057, USA. I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT, AND WITHIN MY PERSONAL KNOWLEDGE.

Executed in LITCHFIELD County, State of CONNECTICUT, on the 1 day of JULY, 2024.

  
**Krishnendu Dasgupta**